

REMARKS

In response to the requirement for restriction and election mailed January 9, 2008, Applicants hereby elect Group II, claims 11, 12, 14 and 15 drawn to compounds, pharmaceutical compositions containing them and kits. Moreover, with respect to the election of species, Applicants hereby elect 1-[5-(1-Phenyl-ethyl)-[1,3,4]thiadiazol-2-yl]-3-(3-trifluoromethyl-phenyl)-urea. The requirement for restriction is respectfully traversed.

The requirement for restriction is respectfully traversed inasmuch as it is submitted that it has apparently been overlooked that the present application is a PCT national phase case. In such a situation, 37 C.F.R. 1.475, embodying PCT rules 13.1 and 13.2, states that a national stage application containing claims to different categories of invention “will be considered to have unity of invention” if the claims are drawn to various combination of categories, including “(3) a product, a process specially adapted for the manufacture in the said product, and a use of the said process.” Accordingly, it is submitted that the claims of Group I, drawn to methods of using the product of elected Group II, and claims of Group III, drawn to methods of preparing the compounds of elected Group II, should be maintained together for examination. Withdrawal of the requirement for restriction is therefore respectfully requested.

The claims have been reformatted for U.S. prosecution. A prompt action on the merits is respectfully requested.

Finally, it is noted that all claims in the application read on the elected species.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

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